

MAINE STATE LEGISLATURE

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Journal and Legislative Record
House of Representatives
One Hundred and Twenty-Ninth Legislature
State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

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ONE HUNDRED TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
27th Legislative Day
Tuesday, April 2, 2019

Representative MOONEN of Portland assumed the Chair.
The House met according to adjournment and was called to order by the Speaker Pro Tem.

Prayer by Tom Waddell, The Maine Chapter of the Freedom from Religion Foundation, Litchfield.

National Anthem by Maine Central Institute Choir, Pittsfield.

Pledge of Allegiance.

Doctor of the day, Karl Santiago, M.D., Portland.

The Journal of Thursday, March 28, 2019 was read and approved.

The following items were taken up out of order by unanimous consent:

ORDERS

On motion of Representative McCREIGHT of Harpswell, the following Joint Resolution: (H.P. 1046) (Cosponsored by Senator BELLOWES of Kennebec and Representatives: ANDREWS of Paris, BABBIDGE of Kennebunk, McCREA of Fort Fairfield, O'NEIL of Saco, SCHNECK of Bangor, SYLVESTER of Portland, Senators: MILLETT of Cumberland, VITELLI of Sagadahoc)

JOINT RESOLUTION RECOGNIZING APRIL 2, 2019 AS NATIONAL SERVICE RECOGNITION DAY

WHEREAS, service to others is a hallmark of the American character and is central to how we meet our challenges; and

WHEREAS, elected leaders are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, including educating students for the jobs of the 21st century, fighting the opioid epidemic, responding to natural disasters and supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills and leadership pathways for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the effectiveness of the organizations they serve, through both their direct service and their management of millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages nonfederal resources to strengthen the effect of volunteer service in communities and increase the return on taxpayer dollars; and

WHEREAS, by making an intensive commitment to service, national service participants demonstrate commitment, dedication and patriotism, attributes that remain with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service works with local leaders nationwide to engage citizens,

improve lives and strengthen communities and is joining with the National League of Cities, the National Association of Counties, Cities of Service and local leaders across the country for National Service Recognition Day on April 2, 2019; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize April 2, 2019 as National Service Recognition Day and encourage residents to recognize the positive effects of national service in our community, to thank those who serve and to find ways to give back to their communities.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative O'NEIL: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, it is my honor to welcome representatives of AmeriCorps and Senior Corps in celebration of National Service Recognition Day.

National Service Corps members fulfill service work in communities across Maine and across the country. Their service projects range from conservation work to providing educational support and acting as mentors.

When I was in college, I served an AmeriCorps term with the Maine Conservation Corps. I worked with the trail crew that completed public recreation projects all over the state, from Newry to Kineo to Lubec. It was a great experience and during that time, I cultivated skills that informed my future work and that I use to this day. My service term also increased my desire to live and work in Maine once I finished college. I was able to work in some of the most beautiful places that I had ever seen and enhanced those spaces for others to enjoy. That investment connected me on an even deeper level to Maine as my home.

These women and men are making an important contribution in the State of Maine. Through their service, they are meeting the needs of communities across our state while cultivating skills and connections that will serve them in all their future endeavors.

Today, we thank you for your service. Your service tells a story about who you are and what you have to offer. We look forward to the great things that you'll accomplish.

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The Speaker resumed the Chair.
The House was called to order by the Speaker.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-28)** on Bill "An Act Regarding Pay Equality"

(S.P. 90) (L.D. 278)

Signed:
Senators:

BELLOWES of Kennebec

LAWRENCE of York

Representatives:

SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
PEOPLES of Westbrook
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-28)**.

READ.

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended Report**.

Representative STEWART of Presque Isle **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended Report**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise today in opposition to the pending motion.

Violation of the Maine Human Rights Act is serious matters and we do take them seriously. Passage of this bill will dilute the true meaning and its original purpose. It's supposed to address acts that are considered egregious committed by a person or a group against another person or group, something that's demeaning to their value as a human being.

What this bill calls for is controlling an employer, a mom and pop employer to be included, from asking ahead of time what a person, a potential employee's pay was before they came to his place seeking employment. It may be a violation of a labor standard, if you will, but not of the Maine Human Rights Act. This is a bad bill. I hope you vote according to my light and defeat it. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker. Madam Speaker, today is Equal Pay Day. A day I would really rather not have to celebrate. It marks the day when women will have earned the same amount as their male counterparts earned in the previous year. That means it took 15 months for a woman to earn what men did in 12 months. Nationally, white women earn about 82 cents for every dollar that white men earn. This disparity increases when comparing the earnings of white men and women of color. This bill would help change that. If you earned less than you were worth in

one job and then your next employer asks for your salary history, it's likely they will underpay you again.

Studies show that when employees are not allowed to talk to their colleagues about salary, they are unable to identify pay gaps and are underpaid. This bill prevents employers from using previous salaries as a basis of consideration for new workers and reaffirms that workers are allowed to discuss their wages. This helps workers find out if any of them are facing pay discrimination and prevents one act of pay discrimination from following a person through their entire career.

When Maine institutes this law and more states follow, we'll be a step closer to eliminating Equal Pay Day because we'll be able to celebrate women making the same salary as men all year long. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I didn't plan to speak to this but looking back on my career, when I hired employees, I wanted their pay history because I wanted to see what kind of employees they were in their past jobs, what did they start at and what did they end at? If they ended very close to what they started at, they may not have been a top performer. I paid my employees never based on their gender or their race or anything, I paid them based on their performance. Only on their performance. If they were an outstanding performer, they were going to make more money. And it was not fair for them to have their salary or their hourly wage known by other employees because they aren't equal; whether they're male, female, black, white, Indian, it doesn't matter. They are not equal except by the rate of their performance only. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Peoples.

Representative **PEOPLES**: Thank you, Madam Speaker. Madam Speaker, I rise to support the pending motion because all people deserve equal pay for equal work. We've heard about the pay gap between men and women and it's more severe for African-American women and Native American women and Hispanic women.

My whole career was spent in mostly male-dominated industries. I wish that I could say that employers always made choices about what to pay women based on experience, education, and credentials. But the truth is, more often than not, an employer will ask previous salary. How much did you make in your last job? And that's the question employers use to determine how much they'll pay the new employee. For women, people of color, and people with disabilities, it becomes almost impossible to break free from this discrimination. The housing and -- the Labor and Housing Committee listened carefully to the concerns from the employer community and we made changes to the legislation to address some of what we heard.

For example, the legislation is narrowly tailored. This is not a ban on free speech. After the employer has made an offer to the prospective employee and the compensation level has been set, they are free to ask questions about compensation history. Additionally, there is an explicit exemption for employers who are required to ask questions due to a specific federal or state law. For example, an economic development program or tax credit tied to hiring low-income people. In other words, the bill before you is narrowly tailored to achieve a compelling government interest. That is the government's interest in ensuring that all people are paid equal pay for equal work. This is a matter of basic fairness.

Our neighboring states, including Vermont, Massachusetts, Rhode Island, and Connecticut, have already passed similar laws. It is a fitting way to observe Equal Pay Day and it is my fervent hope that our granddaughters and great-granddaughters someday will receive equal pay for equal work, even though our generation and our daughter's generation have not. I hope that you will follow my light by voting green and passing this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker. I didn't have any intention of rising today, but I do want to speak in opposition.

I want to tell a brief story and it happened recently. My own daughter is working in Massachusetts and she's working for a large company. She's at her year review and she recently -- she's sending me a text message last week going mom, they're at my review, they're offering me a 5% raise. I think I should get 10%. I go, go ask for it. You're a strong woman and if you're a strong woman, you're going to stand up and ask for what you think you deserve. And she -- but then she goes well, if I have to go to the president of the company and ask, you know, what should I do? I go, go ask for 15%. You're worth at least that much. She didn't even have to go speak with him. She asked for 15%, they gave it to her.

My thing is as a woman, as a strong woman, this isn't about equal pay, it's about doing your job, getting it done right, and getting paid what you deserve and asking for what you deserve. And as women, and that's what I rise about, as women we need to ask for that. So, it's not about equal pay, this is about small businesses and businesses taking care of themselves and paying people what they need to work. And for people to know what each other are making, it can cause hardship in a workplace. So, with that, I would thank you and ask you to oppose this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Sylvester.

Representative **SYLVESTER**: Thank you, Madam Speaker. I just wanted to clarify a few things for everybody, Madam Speaker. What this bill does is it prohibits employers from inquiring about compensation history until after an employment offer has been made and in terms of compensation for the prospective employee. And it does amend the Human Rights Act to provide that having asked compensation history can be used as a piece of evidence in an employment's discrimination claim and that would be a claim that would be persistent and ongoing.

This bill is, in my opinion, Madam Speaker, about equal pay for equal work, and one of the reasons is that pay inequality starts right out of college. 2016 data shows that one year out of college, women with a college degree working full-time make 18% less than men. The pay gap starts right away, so that even if an employer does not intend to discriminate, by basing a woman's pay on her prior pay, that initial gender gap is perpetuated so that even if everybody received a 15%, if you're starting lower right out of college and that's being used - that inquiry is being used to create your new pay rate, the gap is going to exist for the rest of a woman's career.

Similar laws exist in California, Connecticut, Delaware, Hawaii, Massachusetts, Oregon, Rhode Island, and Vermont. And, most importantly, is that it's not that you can never ask that question once a compensation offer has been put forward, you know, then that can certainly happen, it's just at that very beginning point to make sure that everybody starts on the same level and where, in many corporate climates, flat

percentages are moving through the -- as the new trend in compensation so everybody receives X; if you start behind, you're always going to be behind. Thank you, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 28

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Calazzo, Cardone, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Peabworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Tuell, Wadsworth, White D.

ABSENT - Carney, Curtis, Daughtry, Doore, Hanington, Hepler, Riley, Theriault.

Yes, 86; No, 54; Absent, 8; Excused, 1.

86 having voted in the affirmative and 54 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-28)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-28)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Under suspension of the rules, members were allowed to remove their jackets.

Representative MOONEN of Portland assumed the Chair. The House was called to order by the Speaker Pro Tem.

SENATE PAPERS

The following Joint Order: (S.P. 435)

ORDERED, the House concurring, that the Joint Standing Committee on Innovation, Development, Economic

Advancement and Business shall report out, to the Senate, a bill to improve efficiencies and remove barriers in professional licensing and certification.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 133)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

April 2, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:

On March 27, 2019

The Honorable Jean Ginn Marvin of Scarborough for reappointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

The Honorable Joyce A. Maker of Calais and The Honorable Michael H. Michaud of East Millinocket for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

The Honorable Daniel E. Wathen of Augusta and John E. Dority of Augusta for reappointment to the Maine Turnpike Authority Board of Directors.

Pursuant to Title 23, MRSA §1964-A, these reappointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Transportation.

Sven Bartholomew of Brewer and The Honorable Michael H. Michaud of East Millinocket for appointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

James O. Donnelly of Brewer and Kelly A. Martin of Fort Kent for reappointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, these reappointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Dr. Jack L. Waterman of Waldoboro for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA §1471-B, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 134)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

April 2, 2019

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the Committee on Energy, Utilities and Technology has approved the request by the sponsor, Representative Hubbell of Bar Harbor, to report the following "Leave to Withdraw:"

L.D. 143 An Act To Protect Electric Ratepayers from Gross Output Metering Costs (EMERGENCY)

Pursuant to Joint Rule 310, the Committee on Health Coverage, Insurance and Financial Services has approved the request by the sponsor, Representative O'Neil of Saco, to report the following "Leave to Withdraw:"

L.D. 1361 An Act Regarding Health Care Providers and Patient Trust

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Representative Fecteau of Augusta, to report the following "Leave to Withdraw:"

L.D. 1112 An Act To Provide Employee Vaccination Compensation

Pursuant to Joint Rule 310, the Committee on Taxation has approved the request by the sponsor, Representative Cloutier of Lewiston, to report the following "Leave to Withdraw:"

L.D. 1242 An Act To Reinstigate the State Property Tax Deferral Program for Seniors

Sincerely,

S/Robert B. Hunt

Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 135)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

April 2, 2019

Honorable Sara Gideon

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Gideon:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Criminal Justice and Public Safety
L.D. 677 An Act Regarding the Use of Seizure and Forfeitures by Law Enforcement

Education and Cultural Affairs

- L.D. 419 An Act To Require a Minimum Salary of \$50,000 for Public School Teachers
- L.D. 727 An Act Concerning Funding of Alternative Organizational Structures
- Environment and Natural Resources
- L.D. 621 An Act To Prohibit Extruded Polystyrene Food Service Containers
- Labor and Housing
- L.D. 122 An Act To Prohibit an Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made
- L.D. 123 An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made
- L.D. 140 An Act To Facilitate the Employment of Persons with Substance Use Disorder
- L.D. 168 Resolve, To Create a Universal Job Application System for Maine's Career Centers
- L.D. 220 An Act To Improve Pay for Certain Maine Workers
- L.D. 480 An Act To Ensure Pay Transparency and To Reduce Gender and Racial Wage Inequities
- L.D. 784 An Act To Amend the Laws Governing Eligibility for Unemployment Benefits
- L.D. 888 An Act To Provide Workplace Support to Individuals with Hearing Loss
- Transportation
- L.D. 487 Resolve, Directing the Department of Transportation To Study the Corner of Smithwheel Road and Ocean Park Road and the Intersection of Saco Avenue, Temple Street and Old Orchard Road in Old Orchard Beach
- L.D. 704 An Act To Clarify the Laws Regarding Driver's License Suspensions
- L.D. 740 An Act To Include Bucksport and the Penobscot River Basin in the Department of Transportation's Cargo Port Strategy

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Allow Community-based Organizations To Participate in Diversion Projects for Persons with Substance Use Disorder"

(H.P. 1073) (L.D. 1466)

Sponsored by Representative TALBOT ROSS of Portland.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Resolve, Directing Coordinated State Agencies To Negotiate with the Governing Leaderships of Portland Pipe Line Corporation and Montreal Pipe Line Limited for Sustainability-centered Repurposing of Stranded and At-risk Infrastructure Assets in Maine (EMERGENCY)

(H.P. 1048) (L.D. 1436)

Sponsored by Representative KESSLER of South Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: FAY of Raymond, MORALES of South Portland, RECKITT of South Portland, RISEMAN of Harrison, RYKERSON of Kittery.

Bill "An Act To Support Electrification of Certain Technologies for the Benefit of Maine Consumers and Utility Systems and the Environment"

(H.P. 1071) (L.D. 1464)

Sponsored by Representative RILEY of Jay.

Cosponsored by Senator WOODSOME of York and Representatives: CAIAZZO of Scarborough, DOUDERA of Camden, GROHOSKI of Ellsworth, HUBBELL of Bar Harbor, RYKERSON of Kittery.

Bill "An Act To Diversify Maine's Energy Portfolio with Renewable Energy"

(H.P. 1072) (L.D. 1465)

Sponsored by Representative HUBBELL of Bar Harbor.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure Water Equity and Accountability for the People of the State"

(H.P. 1076) (L.D. 1474)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Senator MIRAMANT of Knox and Representatives: COLLINGS of Portland, DODGE of Belfast, DUNPHY of Old Town, EVANGELOS of Friendship, MAXMIN of Nobleboro, MEYER of Eliot, TALBOT ROSS of Portland, Senator: President JACKSON of Aroostook.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested.

On motion of Representative BERRY of Bowdoinham, the Bill was **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, ordered printed and sent for concurrence.

Resolve, To Mitigate the Increasing Waiting List for Services under the MaineCare Section 21 Waiver Program

(H.P. 1062) (L.D. 1450)

Sponsored by Representative O'CONNOR of Berwick.

Cosponsored by Senator BELLOWS of Kennebec and Representatives: BLIER of Buxton, HYMANSON of York, JAVNER of Chester, PRESCOTT of Waterboro, RYKERSON of Kittery, SAMPSON of Alfred, Senators: FOLEY of York, LAWRENCE of York.

Bill "An Act To Improve Dental Health for Maine Children and Adults with Low Incomes"

(H.P. 1065) (L.D. 1453)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator BREEN of Cumberland and Representatives: CRAVEN of Lewiston, HYMANSON of York, JORGENSEN of Portland, MARTIN of Eagle Lake, TEPLER of

Topsham, Senators: MOORE of Washington, SANBORN, L. of Cumberland.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Align the Laws Governing Dental Therapy with Standards Established by the American Dental Association Commission on Dental Accreditation"

(H.P. 1053) (L.D. 1441)

Sponsored by Representative MASTRACCIO of Sanford.

Cosponsored by President JACKSON of Aroostook and Representatives: BABINE of Scarborough, CAIAZZO of Scarborough, CRAVEN of Lewiston, DENK of Kennebunk, FARNSWORTH of Portland, FECTION of Biddeford, GROHOSKI of Ellsworth, JORGENSEN of Portland.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals"

(H.P. 1052) (L.D. 1440)

Sponsored by Representative SYLVESTER of Portland.

Cosponsored by Representatives: ACKLEY of Monmouth, HANDY of Lewiston, PLUECKER of Warren, RYKERSON of Kittery, TALBOT ROSS of Portland, ZEIGLER of Montville.

Bill "An Act To Provide Debt-free Educational Opportunities for Maine Residents"

(H.P. 1057) (L.D. 1445)

Sponsored by Representative BROOKS of Lewiston.

Cosponsored by Senator MIRAMANT of Knox and Representatives: CROCKETT of Portland, HANDY of Lewiston, HARNETT of Gardiner, MELARAGNO of Auburn, SHARPE of Durham, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent for concurrence.

Bill "An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases"

(H.P. 1054) (L.D. 1442)

Sponsored by Representative BAILEY of Saco.

Cosponsored by Senator CHIPMAN of Cumberland and Representatives: CARDONE of Bangor, HARNETT of Gardiner, MORALES of South Portland, Senator: CARPENTER of Aroostook.

Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

(H.P. 1061) (L.D. 1449)

Sponsored by Representative LOCKMAN of Bradley.

Cosponsored by Senator TIMBERLAKE of Androscoggin and Representatives: DeVEAU of Caribou, FAULKINGHAM of Winter Harbor, GRIGNON of Athens, JOHANSEN of Monticello, MORRIS of Turner, O'CONNOR of Berwick, Senators: DAVIS of Piscataquis, GUERIN of Penobscot.

Bill "An Act To Make References to the Governor and Supreme Judicial Court Justices Gender Neutral"

(H.P. 1069) (L.D. 1457)

Sponsored by Representative MOONEN of Portland.

Bill "An Act To Eliminate Profiling in Maine"

(H.P. 1077) (L.D. 1475)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Senator MIRAMANT of Knox and Representatives: BAILEY of Saco, COLLINGS of Portland, DUNPHY of Old Town, EVANGELOS of Friendship, MEYER of Eliot, TALBOT ROSS of Portland, Senators: MOORE of Washington, WOODSOME of York.

Committee on **JUDICIARY** suggested and ordered printed.

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers"

(H.P. 1063) (L.D. 1451)

Sponsored by Representative PLUECKER of Warren.

Cosponsored by President JACKSON of Aroostook and Representatives: Speaker GIDEON of Freeport, SYLVESTER of Portland.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure Quality, Safety and Accountability on Public Construction Projects"

(H.P. 1051) (L.D. 1439)

Sponsored by Representative SYLVESTER of Portland.

Cosponsored by Representatives: ACKLEY of Monmouth, COLLINGS of Portland, DUNPHY of Old Town, EVANGELOS of Friendship, FOLEY of Biddeford, HANDY of Lewiston, KESSLER of South Portland.

Bill "An Act To Change the Name of Township 17, Range 3 to Van Buren Cove" (EMERGENCY)

(H.P. 1067) (L.D. 1455)

Sponsored by Representative MARTIN of Sinclair.

Cosponsored by President JACKSON of Aroostook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Clarify Recounts in Municipal Elections"

(H.P. 1078) (L.D. 1476)

Sponsored by Representative HANDY of Lewiston.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Enact the Senior Property Tax Reimbursement Act"

(H.P. 1055) (L.D. 1443)

Sponsored by Representative PICKETT of Dixfield.
Cosponsored by Senator CLAXTON of Androscoggin and Representatives: ANDREWS of Paris, DILLINGHAM of Oxford, HAGGAN of Hampden, HANINGTON of Lincoln, KINNEY of Knox, MARTIN of Sinclair, SKOLFIELD of Weld, STEWART of Presque Isle.

Bill "An Act To Remove Sales and Use Taxation on Gold and Silver Coins"

(H.P. 1058) (L.D. 1446)

Sponsored by Representative FECTEAU of Augusta.
Cosponsored by Senator MOORE of Washington and Representatives: ANDREWS of Paris, ARATA of New Gloucester, FAULKINGHAM of Winter Harbor, FOSTER of Dexter, GRIFFIN of Levant, LOCKMAN of Bradley, SAMPSON of Alfred, STROM of Pittsfield.

Bill "An Act To Expand the Homestead Exemption for Disabled Veterans"

(H.P. 1060) (L.D. 1448)

Sponsored by Representative COLLINGS of Portland.
Cosponsored by Senator CARPENTER of Aroostook and Representatives: ALLEY of Beals, COREY of Windham, FAULKINGHAM of Winter Harbor, FECTEAU of Augusta, HANINGTON of Lincoln, JOHANSEN of Monticello, SHEATS of Auburn, Senator: CARSON of Cumberland.

Bill "An Act Regarding the Collection of the Sales and Use Tax by Marketplace Facilitators"

(H.P. 1064) (L.D. 1452)

Sponsored by Representative TIPPING of Orono.
Cosponsored by Senator CHIPMAN of Cumberland and Representatives: BERRY of Bowdoinham, BICKFORD of Auburn, MAREAN of Hollis, STANLEY of Medway, Senator: DOW of Lincoln.

Committee on **TAXATION** suggested and ordered printed.

REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities

(H.P. 1049) (L.D. 1437)

Sponsored by Representative WHITE of Waterville.
Cosponsored by Senator LUCHINI of Hancock and Representatives: DOLLOFF of Rumford, DUNPHY of Old Town, HICKMAN of Winthrop, MARTIN of Eagle Lake, STROM of Pittsfield, Senators: CYRWAY of Kennebec, DIAMOND of Cumberland, HERBIG of Waldo.

Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Clarify the Intent of Referendum Questions for Voters"

(H.P. 1050) (L.D. 1438)

Sponsored by Representative COREY of Windham.
Cosponsored by Representative HANINGTON of Lincoln and Representatives: ANDREWS of Paris, AUSTIN of Gray, BLUME of York, HUTCHINS of Penobscot, MAREAN of Hollis, MASON of Lisbon, O'CONNOR of Berwick, STROM of Pittsfield.

Bill "An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws"

(H.P. 1056) (L.D. 1444)

Sponsored by Representative MADIGAN of Waterville.
Cosponsored by Representative HICKMAN of Winthrop, Senator CHIPMAN of Cumberland and Representatives: COREY of Windham, O'CONNOR of Berwick, TALBOT ROSS of Portland, WARREN of Hallowell, Senators: BLACK of Franklin, President JACKSON of Aroostook, MIRAMANT of Knox.

Bill "An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting"

(H.P. 1059) (L.D. 1447)

Sponsored by Representative WHITE of Washburn.
Cosponsored by Senator FARRIN of Somerset and Representatives: DILLINGHAM of Oxford, FAULKINGHAM of Winter Harbor, HANINGTON of Lincoln, MARTIN of Greene, STEWART of Presque Isle, STROM of Pittsfield, Senators: CYRWAY of Kennebec, DAVIS of Piscataquis.

Bill "An Act Concerning Elections in Maine Congressional Districts"

(H.P. 1066) (L.D. 1454)

Sponsored by Representative BRADSTREET of Vassalboro.
Cosponsored by Senator DOW of Lincoln and Representatives: MORRIS of Turner, PRESCOTT of Waterboro, STETKIS of Canaan, Senators: CYRWAY of Kennebec, GUERIN of Penobscot.

Bill "An Act To Amend the Laws Governing Raffles"

(H.P. 1068) (L.D. 1456)

Sponsored by Representative COREY of Windham. (BY REQUEST)

Bill "An Act To Create an Automatic Voter Registration System"

(H.P. 1070) (L.D. 1463)

Sponsored by Speaker GIDEON of Freeport.
Cosponsored by Representatives: CLOUTIER of Lewiston, KESSLER of South Portland, O'NEIL of Saco, TALBOT ROSS of Portland, Senators: BELLOWS of Kennebec, CHENETTE of York, Senator LUCHINI of Hancock and Representatives: ACKLEY of Monmouth, BICKFORD of Auburn, HICKMAN of Winthrop, JORGENSEN of Portland, SCHNECK of Bangor, Senators: DOW of Lincoln, President JACKSON of Aroostook, MOORE of Washington.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature

(H.P. 1079) (L.D. 1477)

Sponsored by Representative COOPER of Yarmouth.
Cosponsored by Senator MIRAMANT of Knox.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Probate and Trust Law Advisory Commission

Representative BAILEY for the **Probate and Trust Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 18-A, section 1-803, subsection 2 asks leave to report that the accompanying Bill "An Act To Enact the Maine Uniform Directed Trust Act"

(H.P. 1075) (L.D. 1468)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, March 28, 2019, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment in Memory of John Menario, of Yarmouth

(SLS 78)

TABLED - March 14, 2019 (Till Later Today) by Representative CROCKETT of Portland.

PENDING - ADOPTION.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Portland, Representative Crockett.

Representative **CROCKETT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I am honored to speak on behalf of the Portland and Yarmouth delegations about the life of John Menario.

My wife, Martha, and her siblings grew up with the Menario family in Portland's North Deering neighborhood. We count them as dear friends today. John was born in Portland, Maine, and lived his entire life in the State of Maine, only leaving to serve his country in the Army during the Korean Conflict, and going to the Wharton Graduate School at the University of Pennsylvania where he earned a Master's of Government Administration from the Fels Institute.

John spent his life as an independent, unenrolled voter, and strongly believed those working in city government should be nonpartisan. He was best known for being the city manager of Portland from 1967 through 1976, but he also had a rich history of serving the State of Maine.

He was appointed by Governor Longley to be a state labor mediator, where he traveled the counties, mediating municipal and state labor disputes. Under Governor Jock McKernan he served as chair of the Main Street 90 initiative. He served as a board member for the Maine Community Foundation from 1987 to 1989. With Bill Troubh, Harvey DeVane, and others, he worked to set up the first cabinet administration for Governor Joseph Brennan. And, finally, he was a good friend to Governor Baldacci, whose parents hired John as a bartender at their family restaurant in the late-1950s while he was an undergraduate at the University of Maine Orono.

Mr. Menario's wife and three children still reside in Maine, as do most of his grandchildren. Thank you, Mr. Speaker.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** in concurrence.

REPORTS OF COMMITTEE
Refer to the Committee on Environment and Natural Resources
Pursuant to Joint Order

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Cellular Telephone Recycling Law"

(H.P. 1074) (L.D. 1467)

Reporting that it be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** pursuant to Joint Order 2019, H.P. 883.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit New or Increased Fees or Taxes by Means of Direct Initiatives of Legislation

(S.P. 64) (L.D. 252)

Signed:

Senators:

LUCHINI of Hancock
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-23)** on same RESOLUTION.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ANDREWS of Paris
DOLLOFF of Rumford
HANINGTON of Lincoln
STROM of Pittsfield

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative SCHNECK of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative STROM of Pittsfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Pittsfield, Representative Strom.

Representative **STROM**: Thank you, Mr. Speaker. I rise in objection to this pending motion because I truly believe that tax policy is the most complex legislation we do here and I don't feel like we should be giving that responsibility away. It is a great responsibility to -- for us to decide, because everything that we choose to spend the State's money on, we first have to take from somebody else, and that is a great responsibility and we don't always get it right the first time, that's why we amend bills along the way in committees and that on a referendum that is just something that you don't have the ability to do. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Mr. Speaker, my friends of the House. The testimony in this bill essentially inferred that we just can't trust the Maine voters with the level of understanding to make reasonable decisions on the complex issue of raising taxes in Maine, that somehow the voters just aren't up to this task. I'm confused, Mr. Speaker, because if Maine voters are truly of such limited capacity of understanding, then why does this bill allow voters to make decisions to lower taxes? It seems that if the premise is true, it should be true in both directions.

What was also said during testimony in committee is -- what's not being said, I should say, is that this piece of legislation if it were to succeed would prevent any citizen's initiatives costing money whatsoever from finding their way onto a ballot, effectively removing this check and balance, this constitutional check and balance, on the tyranny of future legislatures that refuse to act on issues that a majority of Mainers think is important policy.

There is actually one place where I believe both opponents and proponents of this measure agree that there is too much outside money in politics today. That is true, too much money coming into the State of Maine to influence policy decisions. But the question should be, would this solution, air quotes around solution, if that's okay with the rules, would this solution make this problem worse or better? We've got all sorts of fancy graphs and charts that show us that all the Citizens United money that comes in for initiatives, there's a lot of it. It seems, though, we have ignored what no one has been willing to ask, which is how much money is coming in from outside sources into the State of Maine to directly influence elections and the lobby? Because if we put a cork in the bottle of citizens initiatives, that's where the money will flow. If -- as our U.S. Supreme Court says, money is speech, if we must have unlimited political donations, then I personally would much prefer to have all this outside spending directly in front of the Maine voters who have a track record of showing that they are smart enough to know when they are being hoodwinked, whether it's Shady Shawn or Bloomberg's backgrounds or PETA's bear baiting or a 3% surtax for elder care, Maine citizens have shown how to say thanks but no thanks.

And so, for all of these reasons, Mr. Speaker, I'll be voting Ought Not to Pass today.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to point one thing out; Section 9 -- or Article 9 of the Maine Constitution specifically says the Legislature shall never in any manner suspend or surrender the power of taxation. Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the

Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

The Member is out of order. The Member will defer. When a Member poses a question through the Chair, any Member of the Chamber may choose to answer it and no one chose to answer the Member's question.

The Chair will remind all Members that the House Rules state that any Member in the Chamber during a vote must vote.

The Chair recognizes the Representative from Caribou, Representative DeVeau.

Representative **DeVEAU**: I also want the House to realize that we all swore an oath to protect the Constitution of the State of Maine. Thank you.

The SPEAKER PRO TEM: Members who have not voted may not leave the Chamber while a vote is open.

A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 29

YEA - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Morales, Nadeau, O'Neil, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Grignon, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Moonen, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Carney, Curtis, Daughtry, Doore, Hepler, Riley.

Yes, 84; No, 58; Absent, 6; Excused, 1.

84 having voted in the affirmative and 58 voted in the negative, with 6 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding Transportation Management Software and School Bus Replacement"

(H.P. 188) (L.D. 225)

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-46)** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

READ.

Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative STEWART of Presque Isle **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I oppose this motion and this is why.

The bill is about two types of busses, school busses, and the ability for the local districts who own their own busses to make decisions about purchasing and managing their bus fleet. The first type of bus is type C and those can carry about 70 kids, versus type D, which are the transit busses, those are the ones driving around without a nose, and they can carry 85 students. Now, these cost about \$10,000 more but under the current policy these are the ones that are hard to come by. However, they do provide the larger capacity and can be more efficient and cost effective, especially in light of the bus driver shortage. Larger busses can eliminate the need for extra busses and specifically bus runs. So, I ask that you vote against this motion and allow the local control of purchasing and managing their bus fleet to go forward. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Thank you, Mr. Speaker. I rise in opposition to this bill also.

This would enable the superintendents, the school districts -- of each and every school district, the managers of the school bus garage, to take and hire or -- not hire, I apologize, to buy and purchase their own busses acquired -- needed by them. This is the way it's set up right now, that the state mandates what busses you can have, what busses you can't have. There's a software program that they tell each and every school district what they have to use. It might not be as workable as the certain software that they do use. As we all know, there's a large shortage of bus drivers out here. The type C, which they call transit busses, will hold up to 85 passengers, as the Good Representative from Alfred said, and the type C busses would only hold about 74. Realizing yes, they do cost a little bit more, but this would allow the school

districts to do this. If they bought five busses, that would be one less school bus driver to have.

This would also take and help the districts in transporting the kids safe, efficiently, and effectively back and forth to home by using one less route. The software programs are, to say the least, cumbersome, and also, it's dictated by the state what program they're going to use and what program they're not going to use, which can be costly to each and every last one of our districts. This would help all of our constituents here, so I'd ask that you oppose this. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: Thank you, Mr. Speaker. This bill wants to establish in statute the criteria for bus replacement and prohibit the Department of Education from using a specific brand of software for routing and transportation management. The Majority Ought Not to Pass Report was because the replacement of busses for transportation have been updated to match federal code, and the use of transportation software package or brand is a local choice.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 30

YEA - Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrea, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Pebworth, Peoples, Perry A, Perry J, Pierce T, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Verow, Warren, White B, Zeigler, Madam Speaker.

NAY - Ackley, Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Grignon, Haggan, Hall, Hanington, Hanley, Harrington, Head, Higgins, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Pluecker, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Wadsworth, White D.

ABSENT - Berry, Carney, Curtis, Daughtry, Doore, Hepler, Riley.

Yes, 82; No, 59; Absent, 7; Excused, 1.

82 having voted in the affirmative and 59 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

The following item was taken up out of order by unanimous consent:

ENACTORS
Acts

An Act Regarding Pay Equality

(S.P. 90) (L.D. 278)
(C. "A" S-28)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-49)** on Bill "An Act To Prohibit the Use of Certain Disposable Food Service Containers"

(H.P. 213) (L.D. 289)

Signed:
Senator:

CARSON of Cumberland

Representatives:

TUCKER of Brunswick
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-50)** on same Bill.

Signed:
Senator:

FOLEY of York

Representatives:

CAMPBELL of Orrington
JOHANSEN of Monticello
LYFORD of Eddington
SKOLFIELD of Weld

READ.

On motion of Representative TUCKER of Brunswick, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-51)** on Resolve, To Expedite the Processing of Applications for Certification under the Federal Work Opportunity Tax Credit

(H.P. 539) (L.D. 734)

Signed:
Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
PEOPLES of Westbrook
RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought Not to Pass** on same Resolve.

Signed:
Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

READ.

On motion of Representative TUCKER of Brunswick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-51)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-51)** and sent for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 128) (L.D. 450) Bill "An Act To Increase Funding for the St. Croix International Waterway Commission" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-19)**

(S.P. 162) (L.D. 497) Bill "An Act Regarding the Providing of Human Food Waste to Swine Producers" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-17)**

(H.P. 83) (L.D. 97) Resolve, Regarding Legislative Review of Portions of Chapter 38: Suicide Awareness and Prevention in Maine Public Schools, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-45)**

(H.P. 229) (L.D. 305) Bill "An Act To Protect Job Applicants from Identity Theft" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-47)**

(H.P. 378) (L.D. 521) Bill "An Act To Amend the Archives and Records Management Law" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-52)**

(H.P. 403) (L.D. 559) Bill "An Act To Restore Regular Mapping of Eelgrass Beds in the State" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-48)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Acts

An Act To Secure the Future of the Frances Perkins Homestead

(S.P. 58) (L.D. 246)
(C. "A" S-15)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate.

Resolves

Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program

(H.P. 197) (L.D. 234)
(C. "A" H-22)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker Pro Tem and sent to the Senate.

ORDERS

On motion of Representative EVANGELOS of Friendship, the following Joint Resolution: (H.P. 1047) (Cosponsored by Senator MIRAMANT of Knox and Representatives: BAILEY of Saco, BLUME of York, DODGE of Belfast, GRAMLICH of Old Orchard Beach, GROHOSKI of Ellsworth, McCREIGHT of Harpswell, O'NEIL of Saco, RYKERSON of Kittery) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE PLEDGES MADE BY THE UNITED STATES IN THE PARIS AGREEMENT

WE, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the year 2016 was the hottest year in the modern temperature record; and

WHEREAS, there is increasing consensus among scientists and economists that there will be serious economic consequences if we fail to reduce global carbon emissions quickly; and

WHEREAS, a changing climate will irreversibly damage the global economy; and

WHEREAS, if left unaddressed, the consequences of a rising global temperature have the potential to adversely affect all Americans, hitting vulnerable populations hardest, hurting working families and harming productivity in middle class job sectors such as construction, agriculture and tourism, among others; and

WHEREAS, there has been an increase in extreme weather events across the United States that have affected supply chains, consumer behaviors and local economies; and

WHEREAS, the Paris Agreement provides a pathway forward to limit temperature rise to well below 2 degrees Celsius; and

WHEREAS, the Paris Agreement sends a powerful signal to the world that climate change is an immediate problem facing the planet; and

WHEREAS, if the United States withdraws from the Paris Agreement, the United States will face an international diplomatic backlash and will cede leadership on climate change and renewable energy issues to China; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress work with our allies that signed the Paris Agreement; and be it further

RESOLVED: That We respectfully urge and request that the President of the United States not issue an Executive Order withdrawing the United States from the Paris Agreement; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald John Trump, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

READ.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker, Men and Women of the House. I just very briefly just wanted to point out that 195 countries have signed the agreement for the Paris Climate Accord. We all know what's going on with the extreme storms and weather we've been experiencing. A hundred and eighty-five countries have become a party to it, 22 states have joined the alliance in support of it, so I hope you'll support my motion to support this initiative. Thank you very much.

Representative STEWART of Presque Isle moved that the Joint Resolution and all accompanying papers be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Joint Resolution and all accompanying papers.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

Despite almost 200 nations signing the climate change agreement, according to the Global Carbon Project, which monitors global CO₂, emissions are slated to increase by 2.7% after three years of remaining flat. So, while all our leaders make promises and brag about saving the planet, their economies were increasing the use of fossil fuels. Not one of the G20 countries is even close to meeting the CO₂ emission targets they pledge. India is up 6%, China 4.7% and is slated to build 16 coal plants. The U.S. is the only one to lower carbon emissions. French President, Emmanuel Macron, suspended the country's relatively modest carbon tax plan that would've raised the gas tax by 12 cents a gallon after violent protests broke out across France. That should be a reminder. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of their motion to postpone.

Mr. Speaker, the Paris Agreement is a bad deal. Why would we want to be part of a bad deal that does nothing to countries like China, India, Brazil, and Russia from increasing their carbon emissions? Why would we want to handcuff our own country and put our country in a potential energy crisis? If this deal is to be made, it should be a deal that is in our favor, and this deal is not. I'd like to quote George Washington, "It is our true policy to steer clear of permanent alliance with any portion of the foreign world." And I'd also like to quote Thomas Jefferson, "Peace, commerce, and honest friendship with all nations, entangling alliances with none." Thank you.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Joint Resolution and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 31

YEA - Andrews, Arata, Austin S, Bickford, Blier, Bradstreet, Campbell, Cebra, Corey, Costain, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, Fecteau J, Foster, Griffin, Grignon, Haggan, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kinney, Kryzak, Lockman, Lyford, Marean, Martin T, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Tuell, Verow, Wadsworth, White D.

NAY - Ackley, Alley, Austin B, Babbidge, Babine, Bailey, Beebe-Center, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Cooper, Craven, Crockett, Cuddy, Denk, Dodge, Doudera, Dunphy, Evangelos, Farnsworth, Fay, Fecteau R, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hickman, Hobbs, Hubbell, Hymanson, Ingwersen, Jorgensen, Kessler, Kornfield, Landry, Madigan C, Martin J, Martin R, Mastraccio, Matlack, Maxmin, McCrema, McCreight, McDonald, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Pebworth, Peoples, Perry A, Perry J, Pierce T, Pluecker, Reckitt, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, White B, Zeigler, Madam Speaker.

ABSENT - Berry, Carney, Curtis, Daughtry, Doore, Hepler, Higgins, McLean, Riley.

Yes, 57; No, 82; Absent, 9; Excused, 1.

57 having voted in the affirmative and 82 voted in the negative, with 9 being absent and 1 excused, and accordingly the motion to **INDEFINITELY POSTPONE** the Joint Resolution and all accompanying papers **FAILED**.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act To Expand Application of the Maine Agricultural Marketing and Bargaining Act of 1973 to Harvesters and Haulers of Forest Products"

(S.P. 444) (L.D. 1459)

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** in concurrence.

Bill "An Act To Allow the Prohibition of Weapons at Public Proceedings and Voting Places"

(S.P. 450) (L.D. 1470)

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act To Amend the Charter of the Rumford-Mexico Sewerage District"

(S.P. 449) (L.D. 1469)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

(S.P. 445) (L.D. 1460)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY)

(S.P. 446) (L.D. 1461)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Create a Commission To Establish a State Bank"

(S.P. 452) (L.D. 1472)

Came from the Senate, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Protect Taxpayers in the Privatization of State Services"

(S.P. 443) (L.D. 1458)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators

(S.P. 447) (L.D. 1462)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury

(S.P. 451) (L.D. 1471)

Bill "An Act To Provide Consistency in the Laws Governing Culvert Replacement"

(S.P. 453) (L.D. 1473)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

COMMUNICATIONS

The Following Communication: (H.C. 136)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

April 2, 2019

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Matthew W. Moonen of Portland to serve as Speaker Pro Tem to convene the House on April 2, 2019.

Sincerely,

S/Sara Gideon

Speaker of the House

READ and ORDERED PLACED ON FILE.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative CROCKETT of Portland, the House adjourned at 12:15 p.m., until 10:00 a.m., Thursday, April 4, 2019, in honor and lasting tribute to John Menario, of Yarmouth.